IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and

HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 18887 of 1995

Between:

V.Anantha Padmanabham, S/o. Venkateshwarlu.
R/o. 28/778, N.G.Os., Colony, A.K.Nagar,
Nellore.

..... PETITIONER

AND

1 The District and Sessions Judge,
Nellore.
2 P.N.K.Murthy,
Prl. District Munsif's Court, Kovvur,
Nellore.
3 K.Bhaskara Reddy, S/o. Rajagopal Reddy.
IV. Addl. Judl. Magistrate of First Class, Nellore.
4 T.Venkata Ramana,
Sub-court, Nellore.
5 J.Dev Singh,
Addl. Judl. Magistrate of Ist Class, Kavali,
Nellore.
6 The Registrar, (Admn)., High Court of A.P.,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings in R.C.A.No.160/95 and Rc.A.No. 165/95, dated 19/06/1995 of the 1st respondent in appointing the respondents 2 to 5 as illegal, malafide, void contrary to law and consequently set aside their appointment and direct the 1st respondent to appoint the petitioner as Copyist/Attender.

Counsel for the Petitioner : Sri S.V.Muni Reddy

Counsel for the Respondents No.1 & 6 : Sri C.V.Nagarjuna Reddy

Counsel for the Respondents 2, 3 & 4 : Sri O.Manohar Reddy

Counsel for the Respondent No.5 : Sri M.Sunder Rao

The Court made the following :

ORAL ORDER: (Per Hon'ble the Chief Justice)

Insofar as the main question arising in this writ petition about the local and non-local candidates being employed in the Judicial Department is concerned, the same stands covered by the decision rendered by this Court in Writ Petition No.18786 of 1995, which was disposed of on 20th July, 2001, pursuant to which the appropriate action was taken by respondent No.1

and respondents No.3 and 4 were removed from service, respondent No.2 was not a party to the writ petition and he was shifted to some other unit. Further, the respondent No.5 is still working, since there was S.L.P. before the Supreme Court and there was direction to adjust him in the other vacancy not meant for local candidate.

Petitioner's sole grievance, which is now placed before us is that he should be considered for being appointed against the vacancy meant for the local candidate. In a writ petition filed by the petitioner, such direction cannot be issued that he should be given appointment against the vacancy meant for local candidate. Petitioner, of course, is entitled to be considered along with other local candidates, and nobody prevented the petitioner to apply against the vacancies as and when the same are notified. In case the petitioner is still within the age limit and is otherwise qualified and eligible, he can as well apply for being considered for appointment against the vacancy meant for local candidate.

With the above observations, the writ petition stands disposed of.

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DEVINDER GUPTA, C.J.

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B.SESHASAYANA REDDY, J

10-03-2005

bsc

.... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District and Sessions Judge,
Nellore.
2 The Registrar, (Admn)., High Court of A.P.,
Hyderabad.

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